

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

RICHARD FERREIRA,
Plaintiff

v.

TOWN OF LINCOLN; ET AL.,
Defendants

C.A. No. 19-cv-00200-JJM-PAS

STATE DEFENDANTS' MOTION FOR SUMMARY JUDGEMENT

NOW COME Defendants, the Rhode Island State Police (“RISP”); Colonel James Manni, in his individual capacity and official capacity as Superintendent of the Rhode Island State Police (“Defendant Col. Manni”); Lieutenant John Grassel, (“Defendant Lt. Grassel”); Sergeant Kenneth DeMarco, (“Defendant Sgt. DeMarco”); Sergeant Scot Baruti¹ (“Defendant Sgt. Baruti”); and, Trooper Kathryn Hirsch (“Defendant Trooper Hirsch”) in their individual and official capacities (collectively, the “State” or “State Defendants”) and hereby move this Honorable Court, pursuant to Fed. R. Civ. P. 56, for summary judgement on *pro se* Plaintiff Richard Ferreira’s (“Plaintiff” or “Ferreira”) Second Amended Complaint (ECF 46). As grounds thereof, State Defendants assert that there exist no genuine issue of material fact and State Defendants’ are entitled to judgement as a matter of law. A Memorandum of Law is attached hereto in support of State Defendants’ Motion.

WHEREFORE, State Defendants respectfully request that this Honorable Court their Motion and enter summary judgement in favor of State Defendants.

¹ At the time he conducted the investigation, Sgt. Baruti held the rank of corporal. Subsequently, he was promoted. Out of respect, Sgt. Baruti will be referred to at his current rank.

Respectfully Submitted,

RHODE ISLAND STATE POLICE;
COLONEL JAMES MANNI, in his
individual capacity and official capacity as
Superintendent of the Rhode Island State
Police; DETECTIVE LIEUTENANT JOHN
GRASSEL; DETECTIVE SERGEANT
KENNETH DEMARCO; SERGEANT
SCOT BARUTI; and, TROOPER
KATHERYN HIRSCH, in their individual
and official capacities,
By:

PETER F. NERONHA
ATTORNEY GENERAL

/s/ Justin J. Sullivan

Justin J. Sullivan (#9770)
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CERTIFICATE OF SERVICE

I hereby certify that I filed the within document via the ECF filing system and that a copy is available for viewing and downloading. I have also caused a copy to be sent via the ECF system to the following attorneys of record on Friday, January 29, 2021:

Marc DeSisto, Esq.
marc@desistolaw.com

Patrick K. Burns, Esq.
pburns@desistolaw.com

/s/ Ellen Ullucci

I, hereby further certify, that I mailed a copy of the foregoing document by first class mail, postage prepaid on Friday, January 29, 2021 to:

Richard Ferreira,
Pro Se - Incarcerated
45 Dover Street
Fall River, MA 02721
774-379-3621

/s/ Taylor O'Brien